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C O N F I D E N T I A L SECTION 01 OF 03 HO CHI MINH CITY 000740

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SUBJECT: DAKLAK: INVESTIGATING MINORITY ABUSE CHARGES

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CLASSIFIED BY: Seth Winnick, Consul General, HCMC, State.
REASON: 1.4 (d)

¶1. (SBU) On July 7, CG and Poloff visited the ethnic minority hamlet of Buon Cuor Knia in the Central Highlands province of Dak Lak. The purpose of the visit was to assess allegations made by Human Rights Watch and the Montagnard Human Rights Organization that at least two ethnic minority individuals, Y No Buonkrong and Y Hlu Adrong, had been arrested and tortured because of their links to "politically active refugees in the United States." During the visit, we met with village-level government officials, the ethnic Ede village elder, one of the individuals named in the HRW report and the family of a second.

Village Officials

¶2. (U) Nguyen Van Trong, the local People's Committee Chairman, grudgingly received us at his office some 5 kilometers from Buon Cuor Knia. (The village is some 30 kilometers from Buon Ma Thuot, the provincial capital.) The densely-populated region is 75 percent ethnic Vietnamese, 25 percent ethnic minority. Most ethnic Vietnamese migrated from northern Vietnam beginning in ¶1981. In-immigration to the area has all but ended, as there is no more arable land available. Trong claimed that most ethnic Kinh purchased their land (presumably from ethnic minorities). Average landholdings are modest, 1,000 to 1,500 square meters, compared with other districts in Dak Lak province. Principal crops are rice, coffee, sugar cane and pepper.

¶3. (U) Trong estimated that five to ten percent of the area's 11,000 inhabitants were religious. Many ethnic minorities were Protestant. Although the local government was familiar with the "spirit" of the legal framework on religion, senior levels of government had not yet authorized a Protestant church in the area. Protestant families must worship at home, Trong said.

¶4. (U) Security is a concern for village officials. Buon Cuor Knia experienced "very bad" ethnic minority protests in February 2001 and in April 2004. The local government also was concerned about continued illegal migration from Buon Cuor Knia to Cambodia. Recently five persons from the village fled to Cambodia. One was married, four single.

Buon Cuor Knia

¶5. (U) The hamlet of Buon Cuor Knia was further five kilometers down a rugged dirt road from the seat of the village government. Most of the houses were electrified, some were traditional wooden structures, others were concrete. This was ConGen's first successful visit to Buon Cuor Knia. ConGenOffs were blocked from entering the village in 2003 as they sought to

follow up on the case of VISAS-93 beneficiary Hmri Buonkrong, who reportedly was in police custody. Hmri is Y No's elder sister.

¶ 6. (SBU) Our first meeting was with the ethnic Ede village elder. (As in other ethnic minority villages that we visited, the local elder is beholden and responsible to the government, but in private often can be more than just a factotum.) The elder confirmed that four individuals - including Y No Buonkrong, one of the individuals we had come to see - had "disappeared" since June 20. One of the other persons was Y Phor Mlo, brother of Hpun Mlo, another VISAS-93 beneficiary. HRW reported that Y Phor had avoided arrest and had fled to Cambodia.

¶ 7. (SBU) The elder told us that demonstrations in 2001 and 2004 centered around a demand for ethnic minority independence and the return of land now in the hands of ethnic Vietnamese. Y Hlu Adrong, the other ethnic minority individual we intended to meet, had participated in that protest. There was no church in the hamlet as "bad people" had taken advantage of Protestantism to encourage demonstrations. According to the elder, the government had offered 48 poor ethnic minority villagers free housing; Y Hlu was the only one who has not yet accepted a house.

Family Visits

¶ 8. (SBU) A plainclothes policeman acting as a village official told us anyone that we wanted to meet would be brought to the hamlet communal house, as the houses of Y No and Y Lhu were too far away and the roads impassable. The village elder subsequently agreed to lead us to the two houses. The policeman was never seen again and we had no other interference as we worked our way through the hamlet.

Y Hlu

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¶ 9. (C) As we entered Y Hlu's small parcel of property, workers - and plainclothes police masking as workers - were indeed building a two-room concrete house for Y Hlu's family. We were escorted by the elder into the adjoining rough-hewn shack that was Y Hlu's home. Y Hlu came in after us - it appears village officials had summoned him to the hamlet's common house - and we met him and his wife in private along with the village elder. Y Hlu spoke Vietnamese. He had three children. He had no land other than the small plot on which his house was located. He recently received a loan by which he purchased a cow to try and help support the family. He also worked as a daily-laborer.

¶ 10. (C) Initially, Y Hlu was terrified, breaking down into sobs as we sat on his bed. He told us that he was afraid that he would be rearrested after we had met with him (an unfortunately common reaction in some ethnic minority villages we have visited). Composing himself, Y Hlu told us that he and Y No were held in police custody for a month on suspicions of being supporters of the separatist movement. Y Hlu said that he was caught attempting to distribute a cassette recording of the 2001 protests "for the benefit of others." Y Hlu refused to tell us from whom he received the tape, other than it was a copy from "outside." Y Hlu told us that he had been in "that business for a long time." He indicated that he had only recently recruited Y No.

¶ 11. (SBU) During his month-long detention, Y Hlu said he was subjected to some form of tear gas. He was beaten in the ribs and kicked in the legs on two separate occasions on the third day of interrogation. His leg had been x-rayed. The bone was not broken, but Y Hlu reported that it was painful.

¶ 12. (SBU) Y Hlu acknowledged that the government was building a new home for him next door. However, he still had not decided whether or not to accept it. Y Hlu said he was Protestant and a

member of the Southern Evangelical Church of Vietnam (SECV).

Family of Y No

¶13. (C) The father and extended relatives of Y No Buonkrong met us in their large and relatively prosperous house on the other side of the hamlet. Y No's mother was not available. She was either at the communal center or summoned by police for a "working session." The family told us that, in addition to Hmri Buonkrong, two of Y No's uncles also were living in the United States. A third uncle was in Ha Nam prison, in northern Vietnam, having received a ten-year sentence for participation in the Dega movement. (The family explained that Hmri Buonkrong had been detained for a week in 2003, because she aided her uncle to avoid capture as he hid from authorities "with his cellphone.") The Buonkrong family also claimed affiliation with the SECV. Family members in the U.S. occasionally send money via wire transfer; the family must travel to the provincial capital to get the funds. They do so without problem, and they do not have to request official permission to leave the hamlet.

¶14. (C) Y No's family told us that Y No had been held by district police for 20 days. He had been picked up from his vocational school in Buon Ma Thuot, where he attended 12th grade. According to his family, Y No had been detained twice previously along with his sister Hmri. After his most recent detention, he had no bruises on his body, but complained that his head hurt. Y No said that he was beaten for three consecutive days during custody because he did not discuss his connections with "people" in the United States.

¶15. (SBU) After one week at home, Y No returned to Buon Ma Thuot to continue his studies. He disappeared a week later, the family told us.

Comment

¶16. (C) Y No's father and the rest of his family was remarkably calm and matter-of-fact when discussing the disappearance of Y No. Either he has been rearrested and they are remarkably inured to hardship, or they know that Y No is on his way to Cambodia.

¶17. (C) It appears very likely Y Hlu and Y No were physically abused while in police custody. However, from the facts we developed, the level of abuse and circumstances of arrest are at odds with the information provided by HRW and MHRO. Y Lhu and family members of Y No did not report that they were beaten every day, nor did they claim they were fed poisoned food. Even in the Central Highlands, the Vietnamese do not willy-nilly arrest ethnic minorities, especially when the country is under increased scrutiny in the run up to the APEC leaders' meeting

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and impending PNTR hearings. By his own acknowledgment, Y Hlu was a longtime ethnic minority activist; Y No a more recent participant. Y Lhu was distributing a tape of a protest in 2001 that the GVN believes was a rally for an independent ethnic minority state. We cannot tell whether or not Y Hlu and Y No's activities crossed the line from legitimate political activity to advocating for Vietnam's break-up. What is clear, however, is that they were doing something more than just "enrolling in a computer internet class" as MHRO alleged in its report.

¶18. (SBU) The various strands of problems in the Central Highlands come together in Buon Cuor Knia and in the cases of Y No and Y Hlu. Grievances over land, in-migration of ethnic Vietnamese, politicization of religion, separatism, illegal cross-border migration to Cambodia, ties to activists in the United States, all are at play. They illustrate how difficult it is to get at the exact circumstances of events and, more broadly, how challenging it is to resolve ethnic minority and religious freedom issues at the grassroots level in the Central

Highlands.
WINNICK